

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

MATTHEW HUMMASTI,	)	
	)	Civil No. 06-1591-MO
Plaintiff,	)	
	)	
v.	)	
	)	
CLATSOP COUNTY CIRCUIT COURT,	)	
et al.,	)	ORDER
	)	
Defendants.	)	

MOSMAN, District Judge.

As an initial matter, three plaintiffs attempt to jointly bring this 42 U.S.C. § 1983 action against various defendants. *Pro* se plaintiffs who attempt to jointly file a single lawsuit run the risk of infringing upon the well-established principle that although a non-attorney may appear on his own behalf, that privilege is personal to him. C.E. Pope Equity Trust v. United States, 818 F.2d 696, 697 (9th Cir. 1987); Storseth v. Spellman, 654 F.2d 1349, 1355 (9th Cir. 1981). Accordingly, this matter may

proceed as to plaintiff Hummasti, the first-listed plaintiff in the Complaint. Should plaintiffs Thorsen and Woodrum wish to file their own actions, they may do so.

With respect to plaintiff Hummasti, pursuant to 28 U.S.C. § 1914, a party seeking to institute a civil action shall pay a filing fee of \$350.00. An action may proceed without the prepayment of a filing fee only upon a proper application to proceed *in forma pauperis*. 28 U.S.C. § 1915(a). A inmate granted leave to proceed *in forma pauperis* may be required to pay an initial partial filing fee and shall be required to make monthly payments toward satisfaction of the filing fee when sufficient funds are credited to his trust account. 28 U.S.C. § 1915(b).

Plaintiff has neither submitted the filing fee nor moved to proceed *in forma pauperis*. Accordingly, IT IS ORDERED that plaintiff shall submit the requisite filing fee or an application to proceed *in forma pauperis* within 30 days of the date of this order. Plaintiff's failure to do so shall result in the dismissal of this proceeding.

#### **CONCLUSION**

Plaintiffs Thorsen and Woodrum are DISMISSED, without prejudice to their right to file their own § 1983 actions.

Plaintiff Hummasti shall either pay the \$350.00 filing fee for this case, or move to proceed *in forma pauperis*, within 30 days of

the date of this Order. His failure to do so shall result in the dismissal of this case.

IT IS SO ORDERED.

DATED this 12th day of December, 2006.

/s/Michael W. Mosman  
Michael W. Mosman  
United States District Judge